

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re: Edwin R. Berrios Aviles  
Joanne M. Nieves Rodriguez

CASE NO. 09-05295 (ESL)  
Chapter 13

Debtor(s) : Chapter 13  
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**PETITION FOR PAYMENT OF UNCLAIMED FUNDS**

NOW APPEARS Banco Santander- Tax Identification Number 660-31-2389; the creditor through the undersigned attorney Roxana M. Viera-Canales Esq, USDC PR No. 227812, of 1606 Ave. Ponce de León Edif. Julio Bogoricin Ste. 900 San Juan, Puerto Rico 00909, and states that on 2/08/2013, Banco Santander became entitled to receive \$ 1701.21 and 840.95 as a distribution in the above-entitled case, and now appears on the records of this Court as the owner of said funds. The amount requested is being held in the Treasury of the United States as unclaimed funds.

Petitioner represents that he/she/it is entitled to receive the requested funds based upon:

(X) petitioner is the OWNER of said funds being the owner appearing on the records of this Court;

( ) petitioner is the assignee of the owner's claim to said funds; as evidenced in the attached Affidavit or Assignment of Right;

( ) petitioner is the owner's successor in interest, as evidenced in the attached Affidavit or Assignment of Right;

( ) petitioner is the personal representative of the owner's estate, as evidenced in the attached Affidavit and/or other identifying documents; or

( ) petitioner is named in a POWER OF ATTORNEY by Banco Santander, valid under the laws of the Commonwealth of Puerto Rico, that empowers petitioner to collect the unclaimed funds described above on behalf of grantor:

- ( ) as the owner of the claim;
- ( ) as the owner's attorney-at-law, with authorization to receive said funds;
- ( ) as the assignee of the owner's claim to said funds;
- ( ) as the owner's successor in interest; or

( ) as the personal representative of the owner's estate.

Your petitioner submits with this petition the following document(s) as proof of the petitioner's identity and status, and the owner's claim of entitlement:

-Trustee's Report Regarding Unclaimed Funds

WHEREFORE, your petitioner submits to the personal jurisdiction of this Court and requests that it enter an order directing payment of the unclaimed funds described above to the petitioner, or – if the petitioner is not the owner – to the petitioner on behalf of the owner, in accordance with the documents submitted in support of this petition.

The petitioner declares under penalty of perjury that the foregoing is true and correct:

Name of Petitioner: Banco Santander; Garcia-Chamorro Law Group

Signature of Petitioner: Roxana M. Viera Canales

Title: Attorney Roxana M. Viera -Canales Esq.

Date: April 24<sup>th</sup> 2013

#### **NOTICE OF RESPONSE TIME**

Within twenty (20) days after service as evidenced by the certification – and an additional three (3) days pursuant to Fed. R. Bankr. P. 9006(f) if you were served by mail – any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, must serve and file an objection or other appropriate response to this paper with the Clerk's Office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is timely filed within the time allowed herein, the paper will be deemed unopposed, unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice otherwise requires.

#### **CERTIFICATE OF SERVICE**

The petitioner mailed a copy of this petition and all attachments to the Office of the United States Attorney for the District of Puerto Rico, at Torre Chardón Suite 1201, 350 Carlos Chardón Ave., San Juan, PR 00918, on April 24, 2013.

Label Matrix for local noticing  
0104-3  
Case 09-05295-ESL13  
District of Puerto Rico  
Old San Juan  
Wed May 1 10:07:20 AST 2013

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